

**MINUTE ORDERS OF THE EUREKA CITY PLANNING COMMISSION  
CITY OF EUREKA  
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**

**FEBRUARY 13, 2006**

The Planning Commission of the City of Eureka met in regular session on the above date in the Council Chambers, Eureka City Hall, Eureka, California, at 5:35 p.m.

**CHAIRMAN: RON KUHNEL**

**PRESENT: COMMISSIONERS: STEPHEN AVIS  
DEAN KESSLER  
MICHAEL EAGAN**

**ABSENT: COMMISSIONERS: ROBERT SPENCER**

**STAFF PRESENT: KEVIN HAMBLIN, SIDNIE OLSON, PAUL MOORE, JENNY WEBSTER**

The following Minute Orders are submitted for additions, corrections, and/or approval.

\_\_\_\_\_  
Jenny Webster, Administrative Secretary

ATTEST:

\_\_\_\_\_  
Kevin R. Hamblin, Executive Secretary

KRH:jw

**PLANNING COMMISSION, CITY OF EUREKA  
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**

**MINUTE ORDER**

Certified copy of portion of proceedings, February 13, 2006.

**SUBJECT: AGENDA ITEM #III – ELECTION OF OFFICERS**

**ACTION:** Commissioner Kessler moved and Commissioner Eagan seconded to re-nominate Commissioner Kuhnelt for Chairman of the Planning Commission and to nominate Commissioner Avis for Vice-Chairman of the Planning Commission.

**AYES: COMMISSIONERS:AVIS, KESSLER, KUHNEL, EAGAN**  
**NOES: COMMISSIONERS:NONE**  
**ABSENT: COMMISSIONERS:SPENCER**

**MOTION PASSED BY UNANIMOUS VOTE.**

I, Kevin R. Hamblin, Executive Secretary of the Planning Commission, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said Planning Commission as it now appears in record in the office of Community Development.

\_\_\_\_\_  
KEVIN R. HAMBLIN

By:\_\_\_\_\_  
Jenny Webster, Administrative Secretary

KRH:jw

**PLANNING COMMISSION, CITY OF EUREKA  
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**

**MINUTE ORDER**

Certified copy of portion of proceedings, February 13, 2006

**SUBJECT: AGENDA ITEM #IV. – PLANNING COMMISSION MINUTE ORDERS OF THE  
REGULAR MEETING OF JANUARY 9, 2006.**

**ACTION:** Commissioner Eagan moved and Commissioner Avis seconded to approve the  
January 9, 2006 regular meeting minutes as submitted.

**AYES: COMMISSIONERS:AVIS, KESSLER, KUHNEL, EAGAN**

**NOES: COMMISSIONERS:NONE**

**ABSENT: COMMISSIONERS:SPENCER**

***MOTION PASSED BY UNANIMOUS VOTE.***

I, Kevin R. Hamblin, Executive Secretary of the Planning Commission, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said Planning Commission as it now appears in record in the office of Community Development.

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KEVIN R. HAMBLIN

By: \_\_\_\_\_  
Jenny Webster, Administrative Secretary

KRH:jw

**SUBJECT: AGENDA ITEM # V - BUSINESS**

**(A) Old Business:** None

**(B) New Business:** Planners Institute 2006 and Mini Expo Conference

There was a consensus to continue this item to Agenda item #VII. Reports and Communications, Directors Items.

**SUBJECT: AGENDA ITEM #VI. PUBLIC HEARINGS:**

**A. Continued / Rescheduled Applications:**

None

**B. New Applications:**

**1. Project Title:** Vacation of "U" Street between 5<sup>th</sup> and 6<sup>th</sup> Street

**Case No.:** SV-05-004

**Project Applicant:** L & M Renner

**Project Location:** "U" Street between 5<sup>th</sup> & 6<sup>th</sup>; APN: 002-112-007

**Project Description:** L & M Renner is requesting that the City vacate the public street right-of-way over "U" Street between 5<sup>th</sup> & 6<sup>th</sup> Streets. The City proposes to retain the north 30 feet of the street right-of-way and a utility easement over the full width of the street to be vacated.

Sidnie Olson summarized staff report

Chairman Kuhnel opened public hearing.

**Rex Bohn**, representing L & M Renner, stated the application speaks for itself that he was there to answer any questions if needed.

Chairman Kuhnel closed public hearing.

There was discussion that the city would retain the existing and potential expansion of a bus turnout and also the public utility easement. There was further discussion on the history of the use of "U" street and how it was no longer needed for street purposes.

**ACTION:** Commissioner Kessler moved and Commissioner Eagan seconded that the Planning Commission adopt the Findings of Fact in Exhibit "A" and that we recommend approval to the City Council of the requested street right-of-way vacation

**AYES: COMMISSIONERS: AVIS, KESSLER, KUHNEL, EAGAN**

**NOES: COMMISSIONERS: NONE**

**ABSENT: COMMISSIONERS: SPENCER**

***MOTION PASSED BY UNANIMOUS VOTE.***

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KEVIN R. HAMBLIN

By: \_\_\_\_\_  
Jenny Webster, Administrative Secretary

KRH:jw

2. **Project Title:** Rodriguez Secondary Dwelling Unit Variance

**Case No.:** V-05-024

**Project Applicant:** Eugene & Karen Rodriguez

**Project Location:** 3563 Oregon Street; APN 008-212-010

**Project Description:** The applicant is requesting a series of variances that, if granted, would facilitate the development of a secondary dwelling unit (SDU) above a proposed one-car garage. The variances are to allow deviation from the Code for the following development standards: a) minimum lot width; b) minimum lot size; and c) maximum accessory structure height. The existing substandard lot size (5000 square feet) and lot width (50 feet) necessitate the first two variances. The third variance would be required to build the proposed secondary dwelling unit over the garage to its designed height of 23 feet, 2 inches, for a height variance of 11 feet, 2 inches.

Paul Moore summarized staff report discussing the different variance requests of lot size, lot width and accessory structure height.

There was discussion on rear yard setbacks for a secondary dwelling unit (SDU).

Chairman Kuhnel opened public hearing.

**Sarah Atkins**, Agent for Eugene and Karen Rodriguez, presented pictures of the existing neighborhood and a drawing of plans done with suggestions of staff. Ms. Atkins stated she did not believe the height variance would have a negative impact on the neighborhood which has surrounding two-story, split level residences and a large apartment building.

Commissioner Kessler asked for clarifications from Ms. Atkins' notes and testimony regarding the 12' height.

**Eugene Rodriguez**, Owner, commented on what his costs would be to remodel the subject property and that the proposed plans would only enhance the neighborhood stating that it would be consistent with the neighborhood and surrounding houses.

**Janice Hollander**, 3560 Nevada Street, submitted a letter opposing the proposed variances. Ms. Hollander stated a second story would impact her view. Ms. Hollander stated she bought

her home in 1995 because of the ocean and bay views that she has over the existing roof line of the Rodriguez residence stating anything built exceeding that roofline would eliminate her views.

**Larry Zerlang**, 904 McCullens, asked if the commission had received a copy of the letter opposing the variance requests he had sent previously to the Community Development Department. Mr. Zerlang addressed the sub standard lot size common to this neighborhood stating if you begin to approve these SDU's on sub standard lots it would lead to over crowding in the area.

Chairman Kuhnel closed public hearing

There was discussion regarding the City's adopted SDU Ordinance pertaining to lot size. It was noted that previous variances referenced in the staff report had been approved before the City adopted the Ordinance.

**ACTION:** Commissioner Kessler motioned that the Planning Commission adopt the Findings of Fact in Exhibit "A" and Exhibit "B", approve a minimum lot size variance from 6,000 Sq. Ft. to 5,000 Sq. Ft., approve a minimum lot width variance of 60 feet to 50 feet and deny the accessory structure height variance of 12' to 21' 6" for the proposed secondary dwelling unit.

***MOTION DIED FOR LACK OF A SECOND.***

There was discussion on the height of the SDU having a negative impact on the neighborhood and of increasing the density in an already dense area.

**ACTION:** Commissioner Kessler repeated his original motion and Chairman Kuhnel seconded.

Commissioner Avis stated his concerns that if approved we may as well change the minimum lot size of a SDU to 5,000 sq. ft. and eliminate future variance requests for this reason.

There was discussion on this particular neighborhood with mostly sub standard lots vs. other neighborhoods with just a few sub standard lots.

**AYES: COMMISSIONERS: KESSLER, KUHNEL**

**NOES: COMMISSIONERS: AVIS, EAGAN**

**ABSENT: COMMISSIONERS: SPENCER**

***MOTION FAILED***

**ACTION:** Commissioner Avis moved and Commission Eagan seconded that the Planning Commission adopts the Findings of Fact in Exhibit "A" and Exhibit "B" and deny the requested variances.

There was discussion on the Findings of Fact and previous variances approved in the subject neighborhood.

**AYES:**           **COMMISSIONERS: AVIS, EAGAN**  
**NOES:**           **COMMISSIONERS: KESSLER, KUHNEL**  
**ABSENT:**       **COMMISSIONERS: SPENCER**

## **MOTION FAILED**

Kevin Hamblin stated that from the close of Public Hearing the Eureka Municipal Code indicates that the Planning Commission has 45 days to take action, so the fact that the Commission was not able to reach an action at this meeting that the Planning Commission could continue considering this item for another 45 days.

There was discussion on previously approved variances, whether or not they were variances with a conditional use permit or if they were conditional use permits without consideration of a variance.

Commissioner Avis asked Ms. Atkins if the photos she submitted at the meeting could be identified for clarification at the next scheduled Planning Commission meeting.

Item was continued to the next scheduled Planning Commission meeting.

3.   **Project Title:** Eureka Florist Variance  
     **Case No.:** V-06-001  
     **Project Applicant:** Sanders and Westlund  
     **Project Location:** 524 Henderson & 2814 G Street; APN 010-243-003 & 010-243-005  
     **Project Description:** The applicants are requesting a variance to the minimum lot size and minimum lot dimensions; which if granted, would facilitate a future application for a subdivision that would create two parcels. Parcel one would be approximately 2,360 square feet and have dimensions of 29.51' wide x 80' deep- encompassing the entire Eureka Florist building. Parcel two would be approximately 3,220 square feet with dimensions of 40' wide by 80' deep. It would contain the existing residence at 2814 G Street. At this time only the variance is being requested.

Paul Moore summarized the staff report.

Commissioner Eagan clarified the zoning of Office Residential/ Professional Office.

Chairman Kuhnel opened public hearing.

**Al Sanders**, 2836 "L" Street, applicant, stated he had been approached by the Redevelopment Agency for use of the property as low income housing. Mr. Sanders stated parking concerns and felt you could not put an office in this spot without tearing down the house.

**Travie Westlund**, 2603 F Street, applicant, stated they are not proposing changes to the uses of the lots.

Chairman Kuhnel closed public hearing.

There was discussion on the 2814 "G" Street parcel and if it were to be used for office space rather than a residence it would be subject to a variance for parking requirements. There was further discussion on parking issues, setbacks and other zoning requirements.

**ACTION:** Commissioner Kessler moved that the Planning Commission approve the variance request and ask that the staff and Commission work together on Findings of Fact to support the decision.

There was discussion on referral comments received back from the Fire Department and the Engineering Department.

Commissioner Kessler withdrew his motion.

There was discussion to get additional information from staff, Fire Department and Engineering Department.

**ACTION:** Commissioner Avis motioned and Commissioner Eagan seconded to continue this item to the next regular scheduled Planning Commission meeting.

**AYES: COMMISSIONERS:AVIS, KESSLER, KUHNEL, EAGAN**

**NOES: COMMISSIONERS:NONE**

**ABSENT: COMMISSIONERS:SPENCER**

**MOTION PASSED BY UNANIMOUS VOTE.**

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KEVIN R. HAMBLIN

By:\_\_\_\_\_  
Jenny Webster, Administrative Secretary

KRH:jw



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COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**

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**SUBJECT: AGENDA ITEM #VII. REPORTS & COMMUNICATIONS:  
(A) Directors Items**

Kevin Hamblin stated the Pfanenstiel Variance for the meeting hall/church at 710 A Street was denied by the Planning Commission went to the City Council. Mr. Hamblin stated staff is considering traffic and parking studies submitted by Mr. Pfanenstiel's consultant.

Kevin Hamblin reported the Humboldt Moving and Storage Parking Variance application had been rescinded by the applicant.

Kevin Hamblin reported the City Council approved the General Plan Petition for the Balloon Tract property. Discussion followed.

There was discussion on the Planners Institute 2006 and Mini Expo.

**SUBJECT: AGENDA ITEM #VII. ORAL COMMUNICATIONS:**

**SUBJECT: AGENDA ITEM #VIII. ADJOURNMENT:**

At 7:55 p.m. to the regular meeting of the Planning Commission, at 5:30 p.m. on Monday, March 13, 2006.